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Federal Communications Commission

DA 97-486

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
)
Amendment of Section 73.202(b)) MM Docket No. 96-143
Table of Allotments,) RM-8826
FM Broadcast Stations) RM-8890
(Alexandria and Ball, Louisiana)¹)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: March 5, 1997

Released: March 14, 1997

By the Chief, Allocations Branch:

1. At the request of TYJ Broadcasters ("petitioner"), the Commission has before it the Notice of Proposed Rule Making, 11 FCC Rcd 7662, (1996), proposing the allotment of Channel 295A to Alexandria, Louisiana. Petitioner and Annette G. Thompson ("Ms. Thompson") filed comment supporting the allotment of Channel 295A at Alexandria. Louisiana Wireless Company ("Wireless") filed a counterproposal.² Petitioner and Ms. Thompson filed reply comments.

2. In its counterproposal, Wireless requests the allotment of Channel 295A to Ball, Louisiana, as the community's first local FM service. Wireless notes that Ball is an established community with a population of 3,305 persons according to the 1990 Census. It states that since an FM allotment to Ball would represent a first FM service to the community, the adoption of its proposal is the preferred pursuant to Section 307(b) of the Communications Act of 1934, as amended.

3. In response to Wireless' counterproposal, petitioner suggests the allotment of Channel 288A to Ball. Petitioner notes that the alternate channel is assignable to Ball and will place the required signal over the city. Ms. Thompson opposes the allotment of Channel 295A to Ball noting that Ball is a small community located in the suburbs of Alexandria. She states that Alexandria is the professional, commercial and service center for Central Louisiana, making Ball economically and culturally dependent on it. Accordingly, Ms. Thompson argues the Commission should reject Wireless' proposal and allot Channel 295A to Alexandria.

¹ The community of Ball, Louisiana, has been added to the caption.

² Wireless' counterproposal was placed on Public Notice on October 8, 1996, Report No. 2158.

4. We have carefully reviewed all of the pleadings before us and find that the public interest would be served by the provision of a first local service at Ball³, as well as the addition of a fifth local service to Alexandria. In light of the availability of an alternate channel for use at Ball, we need not conduct a comparative analysis between the two proposals. Channel 295A and Channel 288A can be allotted to Alexandria and Ball, respectively, in compliance with the Commission's distance separation requirements. Channel 295A can be allotted to Alexandria without the imposition of a site restriction.⁴ For Channel 288A at Ball, we will impose an site restriction of 6.3 kilometers (3.9 miles) north in order to avoid a short-spacing conflict with the licensed operation of KJJB(FM), Channel 288A, Eunice, Louisiana.⁵

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective April 28, 1997, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Alexandria, Louisiana	226C, 230A, 245C, 262C, 295A
Ball, Louisiana	288A

6. The window period for filing applications will open for Channel 295A at Alexandria, Louisiana, and Channel 288A at Ball, Louisiana, on April 28, 1997, and close on May 29, 1997.

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

³ According to the 1990 U.S. Census, Ball is an incorporated community with a population of 3,305 persons.

⁴ The coordinates for Channel 295A at Alexandria are 31-18-06 NL and 92-27-12 WL.

⁵ The coordinates for Channel 288A at Ball are 31-28-18 NL and 92-24-32 WL.

8. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau